



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE

ARGEO PAUL CELLUCCI
Governor

JANE SWIFT
Lieutenant Governor

Superfund Records Center

SITE: ~~WINCHESTER INDUSTRIES~~ **AM 00**

BREAK: **1.05**

OTHER: **627205**

BOB DURAND
Secretary

DAVID B. STRUHS
Commissioner

January 22, 1999

Peter Runton, President
Winchester Industries, Inc.
130 Randolph Avenue
Milton, Massachusetts 02186

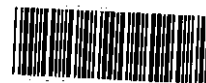
RE: AVON-BWSC/ASM 4-00634
Former Winchester Industries, Inc.
230 and 238 Bodwell Street
**NOTICE OF AUDIT FINDINGS:
AUDIT COMPLETION**

NOTICE OF AUDIT FINDINGS

Dear Mr. Runton:

On December 9, 1998, you (as used in this Notice "you" refers to "Winchester Industries, Inc.") were notified that the Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup (the "Department"), had begun to audit cleanup actions conducted in response to a release of hazardous material at the location described above. The audit was conducted pursuant to M.G.L. c.21E and the Massachusetts Contingency Plan (MCP) at 310 CMR 40.0000. This Notice apprises you of the results of the Department's audit and the violations identified.

**ADDITIONAL ACTIONS ARE NOT NECESSARY
TO CORRECT VIOLATIONS**



SEMS DocID 627205

The Department finds that although violations of applicable requirements occurred, sufficient further information has been submitted. Therefore, **no additional actions are necessary**. The Site Memorandum (Attachment A) describes activities Department personnel performed during the audit, summarizes relevant site information and lists violations that you have already corrected or that do not need further correction.

LICENSED SITE PROFESSIONAL

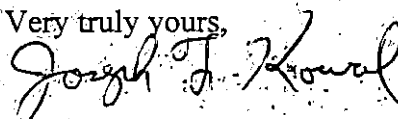
A copy of this Notice has been sent to Mr. Ronald F. Bukoski, the Licensed Site Professional (LSP)-of-Record for your disposal site.

LIMITATIONS

The Department relies upon the accuracy of the information reviewed during the Audit, including information submitted during the course of the Audit, to make these findings. These findings do not: (1) apply to actions or other aspects of the site that were not reviewed in the Audit, (2) preclude future audits of past, current, or future actions at the site, (3) in any way constitute a release from any liability, obligation, action or penalty under M.G.L. c. 21E, 310 CMR 40.0000, or any other law, regulation, or requirement, or (4) limit the Department's authority to take or arrange, or to require any Responsible Party or Potentially Responsible Party to perform, any response action authorized by M.G.L. c. 21E which the Department deems necessary to protect health, safety, public welfare or the environment.

If you have any questions regarding this Notice or any requirements contained in it please call Mr. David E. Highfield at (508) 946-2882. Please reference the Release Tracking Number 4-00634 in any correspondence regarding the site.

Very truly yours,



Joseph F. Kowal, Chief
Audit & Site Management Section

K/DEH/dl

Attachments: A. Site Memorandum

CERTIFIED MAIL # Z 598 884 201
RETURN RECEIPT REQUESTED

Cc: Board of Selectmen
Buckley Center
Avon, MA 02322

Board of Health
65 E Main Street
Avon, MA 02322

Coneco Environmental
4 First Street
Bridgewater, MA 02324
Attn: Mr. Ronald F. Bukoski, LSP

DEP-Boston
Attn: Thomas Potter
Attn: Harish Panchal, MSCA

DEP-SERO
Attn: Data Entry, Phase I, R AO

Attachment A

**SITE MEMORANDUM
AVON-BWSC/ASM 4-00634**

I. ACTIONS AUDITED

The Audit included a review of the following:

- ◆ Phase I Report
- ◆ Transition Provisions
- ◆ Response Action Outcome (RAO) Statement

II. AUDIT ACTIVITIES

The Audit consisted of the following activities:

- ◆ A Notice of Audit dated December 9, 1998.
- ◆ A review of relevant documents contained in the Department's file, including but not limited to:
 - ◇ A report titled "Hazardous Waste Evaluation 230 Bodwell Street" dated July 1988, prepared by Gale Associates, Inc., and received by the Department on December 29, 1988.
 - ◇ A report titled "Hazardous Waste Evaluation Addendum 230 Bodwell Street" dated August 1988, prepared by Gale Associates, Inc., and received by the Department on December 29, 1988.
 - ◇ A report titled "Phase I - Initial Site Investigation Former Winchester Industries, Inc." dated April 19, 1995, prepared by Coneco Environmental, certified by the LSP-of-Record Mr. Ronald F. Bukoski, and received by the Department on April 28, 1995.
 - ◇ A report titled "Response Action Outcome Former Winchester Industries, Inc." dated June 20, 1995, prepared by Coneco Environmental, certified by the LSP-of-Record Mr. Ronald F. Bukoski, and received by the Department on July 3, 1995.
- ◆ A meeting on site with Mr. Peter Runtun, on January 8, 1999, to discuss preliminary audit findings.
- ◆ A site inspection on January 8, 1999 that included a visual inspection of the site.

III. SITE INSPECTION/SITE SUMMARY

The subject property, formerly 230 Bodwell Street, consists of two buildings on a parcel of land totaling 2.36 acres, formerly owned and occupied by Winchester Industries, Inc. Winchester Industries, Inc. used chromic acid for etching, trichloroethene for degreasing,

The samples did not reveal detectable concentrations of dissolved cadmium, dissolved chromium, or VOCs with the exception of 42 ppb methylene chloride in monitoring well CMW-2 and 28 ppb methyl ethyl ketone in monitoring well CMW-3. These concentrations are three orders of magnitude below the applicable GW-2 and GW-3 risk standards.

On January 8, 1999 Mr. David E. Highfield of the Department made a site visit to answer questions about the audit process, investigate and discuss actions taken in response to the release, observe conditions at the site, and to discuss preliminary findings of the audit. Mr. Peter Runton was present during the inspection.

Conditions observed were generally consistent with site information contained in the Department's file; however, none of the monitoring wells could be located. They appear to have been destroyed since the RAO was filed.

IV. SUMMARY OF VIOLATIONS

Violations That Do Not Require Further Action:

1. **Violation:** On July 3, 1995, documentation submitted to support the RAO Statement did not include a site plan indicating the boundaries of the disposal site for which the RAO applies. This is a violation of 310 CMR 40.1056(2)(a). Pursuant to 310 CMR 40.1056(2)(a), a clear and accurate description of the location and boundaries of a disposal site or portion of a disposal site to which the RAO applies, shall be submitted to the Department. A revised site plan, that included the boundaries of the disposal site for which the RAO applies, was received by the Department on January 20, 1999.
2. **Violation:** The Board of Health and the Board of Selectmen were not notified of the availability of and information about how to obtain a copy of the RAO Statement. This is a violation of 310 CMR 40.1403(3)(f). Pursuant to 310 CMR 40.1403(3)(f), the Chief Municipal Officer and the Board of Health in the community in which the disposal site is located shall be notified in writing of the availability of and how to obtain a copy of the RAO Statement. The Chief Municipal Officer and the Board of Health were subsequently notified concurrent with the Department's Audit.

Be advised that although the Department is not requiring additional actions to address the violations identified above, the Department may use these violations to establish a pattern of noncompliance when pursuing future enforcement actions.